

SPEAKER NICHOL: Senator Wesely, will you respond please.

SENATOR VICKERS: Senator Wesely, in the committee amendments on page 1, lines 11 through 15, you are putting in some new language in the area of the statutes that defines abuse and neglect and you have the word "allowing" on line 12 that says that...the entire sentence would read, "Abuse or neglect shall mean knowingly, intentionally or negligently causing or permitting a minor child or an incompetent or a disabled person to be sexually exploited by allowing, encouraging or forcing such person," and so forth, and my question is, what does the word "allowing" mean in that context of a minor child engaged in prostitution and so forth when you could have a minor 17 years old, 16 or 17, a runaway. I'm concerned that you may be putting in the statutes something that would say to a parent simply because they couldn't control their youngster anymore, therefore, we're allowing it to happen, that somehow they were violating the law. Is there any concern or was there any discussion in the committee with the adoption of that particular language?

SENATOR WESELY: Senator Vickers, you raised a good point. I don't think there was a great deal of committee discussion about that because that language came to us from Gina Dunning, that and another part of the committee amendments and were requirements from the federal government. The exact language brought to us, we're not certain if there is any flexibility on that, but that is something that we have to pass this year, at least provisions therein. I would say the allowing, the intent that I understand it is that you would not stand by idly and allow the child to be exploited or abused in the sense that you don't intervene on their behalf. I think that's what the intent is, not so much that it is out of your control and so I guess in a sense that you allow it, but that you don't help when somebody is in need. But I can say this that I'd like to ask that you give me a chance to check with Gina Dunning from the department and find out exactly what language they have to have, and if there is some flexibility I'd be willing to work with you on an amendment.

SENATOR VICKERS: Okay, thank you, Senator Wesely. I simply raise this point as a parent who has raised teenagers. There comes a point in their life when regardless of what the parents may allow or not allow some certain things